

From the INTERNATIONAL SEARCHING AUTHORITY

RECU

PCT

To:

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- 2 AVR. 2004

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397-7602

NOTIFICATION OF TRANSMITTAL OF  
THE INTERNATIONAL SEARCH REPORT  
OR THE DECLARATION

(PCT Rule 44.1)

Date of mailing  
(day/month/year)

31/03/2004

Applicant's or agent's file reference

ES/13310.4

FOR FURTHER ACTION

See paragraphs 1 and 4 below

International application No.

PCT/CA 03/01429

International filing date  
(day/month/year)

19/09/2003

Applicant

MEDINNOV, INC.

1. ☒ The applicant is hereby notified that the International Search Report has been established and is transmitted herewith.

**Filing of amendments and statement under Article 19:**

The applicant is entitled, if he so wishes, to amend the claims of the International Application (see Rule 46):

**When?** The time limit for filing such amendments is normally 2 months from the date of transmittal of the International Search Report; however, for more details, see the notes on the accompanying sheet.

**Where?** Directly to the International Bureau of WIPO  
34, chemin des Colombettes  
1211 Geneva 20, Switzerland  
Facsimile No.: (41-22) 740.14.35

For more detailed instructions, see the notes on the accompanying sheet.

2. ☐ The applicant is hereby notified that no International Search Report will be established and that the declaration under Article 17(2)(a) to that effect is transmitted herewith.

3. ☐ With regard to the protest against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:

☐ the protest together with the decision thereon has been transmitted to the International Bureau together with the applicant's request to forward the texts of both the protest and the decision thereon to the designated Offices.

☐ no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.

4. **Further action(s):** The applicant is reminded of the following:

Shortly after 18 months from the priority date, the international application will be published by the International Bureau.

If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau as provided in Rules 90bis.1 and 90bis.3, respectively, before the completion of the technical preparations for international publication.

Within 19 months from the priority date, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase until 30 months from the priority date (in some Offices even later).

Within 20 months from the priority date, the applicant must perform the prescribed acts for entry into the national phase before all designated Offices which have not been elected in the demand or in a later election within 19 months from the priority date or could not be elected because they are not bound by Chapter II.

Name and mailing address of the International Searching Authority



European Patent Office, P.B. 5818 Patentlaan 2  
NL-2280 HV Rijswijk  
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,  
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Authorized officer

Florence Jouteux

## NOTES TO FORM PCT/ISA/220

These Notes are intended to give the basic instructions concerning the filing of amendments under article 19. The Notes are based on the requirements of the Patent Cooperation Treaty, the Regulations and the Administrative Instructions under that Treaty. In case of discrepancy between these Notes and those requirements, the latter are applicable. For more detailed information, see also the PCT Applicant's Guide, a publication of WIPO.

In these Notes, "Article", "Rule", and "Section" refer to the provisions of the PCT, the PCT Regulations and the PCT Administrative Instructions respectively.

### INSTRUCTIONS CONCERNING AMENDMENTS UNDER ARTICLE 19

The applicant has, after having received the international search report, one opportunity to amend the claims of the international application. It should however be emphasized that, since all parts of the international application (claims, description and drawings) may be amended during the international preliminary examination procedure, there is usually no need to file amendments of the claims under Article 19 except where, e.g. the applicant wants the latter to be published for the purposes of provisional protection or has another reason for amending the claims before international publication. Furthermore, it should be emphasized that provisional protection is available in some States only.

#### What parts of the international application may be amended?

Under Article 19, only the claims may be amended.

During the international phase, the claims may also be amended (or further amended) under Article 34 before the International Preliminary Examining Authority. The description and drawings may only be amended under Article 34 before the International Examining Authority.

Upon entry into the national phase, all parts of the international application may be amended under Article 28 or, where applicable, Article 41.

#### When?

Within 2 months from the date of transmittal of the international search report or 16 months from the priority date, whichever time limit expires later. It should be noted, however, that the amendments will be considered as having been received on time if they are received by the International Bureau after the expiration of the applicable time limit but before the completion of the technical preparations for international publication (Rule 46.1).

#### Where not to file the amendments?

The amendments may only be filed with the International Bureau and not with the receiving Office or the International Searching Authority (Rule 46.2).

Where a demand for international preliminary examination has been/is filed, see below.

#### How?

Either by cancelling one or more entire claims, by adding one or more new claims or by amending the text of one or more of the claims as filed.

A replacement sheet must be submitted for each sheet of the claims which, on account of an amendment or amendments, differs from the sheet originally filed.

All the claims appearing on a replacement sheet must be numbered in Arabic numerals. Where a claim is cancelled, no renumbering of the other claims is required. In all cases where claims are renumbered, they must be renumbered consecutively (Administrative Instructions, Section 205(b)).

The amendments must be made in the language in which the international application is to be published.

#### What documents must/may accompany the amendments?

##### Letter (Section 205(b)):

The amendments must be submitted with a letter.

The letter will not be published with the international application and the amended claims. It should not be confused with the "Statement under Article 19(1)" (see below, under "Statement under Article 19(1)").

The letter must be in English or French, at the choice of the applicant. However, if the language of the international application is English, the letter must be in English; if the language of the international application is French, the letter must be in French.

## PCT

## INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference <b>ES/13310.4</b>	<b>FOR FURTHER ACTION</b> see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.	
International application No. <b>PCT/CA 03/01429</b>	International filing date (day/month/year) <b>19/09/2003</b>	(Earliest) Priority Date (day/month/year) <b>20/09/2002</b>
Applicant <b>MEDINNOV, INC.</b>		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 4 sheets.

☒ It is also accompanied by a copy of each prior art document cited in this report.

## 1. Basis of the report

- a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

- b. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international search was carried out on the basis of the sequence listing:

☐ contained in the international application in written form.

☐ filed together with the international application in computer readable form.

☐ furnished subsequently to this Authority in written form.

☐ furnished subsequently to this Authority in computer readable form.

☐ the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

☐ the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

2. ☐ Certain claims were found unsearchable (See Box I).

3. ☐ Unity of invention is lacking (see Box II).

## 4. With regard to the title,

☒ the text is approved as submitted by the applicant.

☐ the text has been established by this Authority to read as follows:

## 5. With regard to the abstract,

☒ the text is approved as submitted by the applicant.

☐ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

## 6. The figure of the drawings to be published with the abstract is Figure No.

☒ as suggested by the applicant.

☐ because the applicant failed to suggest a figure.

☐ because this figure better characterizes the invention.

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☐ None of the figures.

# INTERNATIONAL SEARCH REPORT

International Application No

PCT/CA 03/01429

## A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 C12Q1/00 C12Q1/26 G01N27/327

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 C12Q

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, WPI Data, PAJ, MEDLINE, BIOSIS, EMBASE

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	<p>PLEGGE V ET AL: "Analysis of ternary mixtures with a single dynamic microbial sensor and chemometrics using a nonlinear multivariate calibration."</p> <p>ANALYTICAL CHEMISTRY. UNITED STATES 1 JUL 2000,</p> <p>vol. 72, no. 13, 1 July 2000 (2000-07-01),</p> <p>pages 2937-2942, XP002273463</p> <p>ISSN: 0003-2700</p>	<p>1-25,</p> <p>27-45</p>
Y	<p>the whole document</p> <p>page 2939, column 1, paragraph 2</p> <p>page 2940</p> <p>page 2941, column 1, paragraph 3</p> <p>table 2</p> <p style="text-align: center;">--- -/-</p>	<p>26</p>

☒ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

### \* Special categories of cited documents:

- \*A\* document defining the general state of the art which is not considered to be of particular relevance
- \*E\* earlier document but published on or after the international filing date
- \*L\* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- \*O\* document referring to an oral disclosure, use, exhibition or other means
- \*P\* document published prior to the international filing date but later than the priority date claimed

- \*T\* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- \*X\* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- \*Y\* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- \*G\* document member of the same patent family

Date of the actual completion of the international search

16 March 2004

Date of mailing of the international search report

31/03/2004

Name and mailing address of the ISA

European Patent Office, P.B. 5818 Patentlaan 2  
NL - 2280 HV Rijswijk  
Tel. (+31-70) 340-2040. Tx. 31 651 epo nl,  
Fax: (+31-70) 340-3016

Authorized officer

Jenkins, G

# INTERNATIONAL SEARCH REPORT

International Application No.

PCT/CA 03/01429

## C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	LIDEN HELENA ET AL: "Rapid alcohol determination in plasma and urine by column liquid chromatography with biosensor detection" JOURNAL OF PHARMACEUTICAL AND BIOMEDICAL ANALYSIS, vol. 17, no. 6-7, September 1998 (1998-09), pages 1111-1128, XP002273464 ISSN: 0731-7085	1-22, 27-45
Y	the whole document figures 1,2	26
X	US 5 312 590 A (GUNASINGHAM HARI) 17 May 1994 (1994-05-17) the whole document figures 1,3,9 column 2, line 25-27 column 4, line 22-25,64-69 column 7, line 9-24	1-22, 27-45
X	EP 0 371 490 A (KANZAKI PAPER MFG CO LTD) 6 June 1990 (1990-06-06) the whole document page 4-5	1-22, 27-45
X	BACHMANN T T ET AL: "IMPROVED MULTIANALYTE DETECTION OF ORGANOPHOSPHATES AND CARBAMATES WITH DISPOSABLE MULTIELECTRODE BIOSENSORS USING RECOMBINANT MUTANTS OF DROSOPHILA ACETYLCHOLINESTERASE AND ARTIFICIAL NEURAL NETWORKS" BIOSENSORS & BIOELECTRONICS, ELSEVIER SCIENCE PUBLISHERS, BARKING, GB, vol. 15, no. 3/4, 2000, pages 193-201, XP001010317 ISSN: 0956-5663 the whole document figure 2	1-22, 27-45
X	EP 1 182 456 A (SENS INC I) 27 February 2002 (2002-02-27) the whole document figures 1-3	1-22, 27-45

# INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/CA 03/01429

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
US 5312590	A	17-05-1994	NONE	
EP 0371490	A	06-06-1990	JP 2079943 C	09-08-1996
			JP 2147947 A	06-06-1990
			JP 7104313 B	13-11-1995
			DE 68913446 D1	07-04-1994
			DE 68913446 T2	16-06-1994
			EP 0371490 A1	06-06-1990
			US 5320939 A	14-06-1994
EP 1182456	A	27-02-2002	KR 2002008941 A	01-02-2002
			KR 2002088521 A	29-11-2002
			CN 1334460 A	06-02-2002
			EP 1182456 A2	27-02-2002
			JP 2002090331 A	27-03-2002
			US 2002027072 A1	07-03-2002